

Transport of Special Categories of Passengers

Background

It is not unusual for aircraft operators to have to transport deportees, inadmissible persons or persons in lawful custody. Whilst IFALPA is not opposed to this practice, strict guidelines should be followed to ensure that both the safety and the security of the flight are not compromised. In any case, the final decision on accepting such passengers and any escort onboard should rest with the pilot-in-command.

When such passengers are to be transported on a particular aircraft, State authorities should seek the operator's agreement prior to making any travel arrangements. Before the boarding of these passengers, the State or the operator should also provide the pilot-in-command with:

1. The identity and seat number of these passengers
2. The persons' criminal record, if applicable
3. The reason for transportation/deportation

Whilst many inadmissible persons, deportees and persons in custody will travel peacefully, such passengers may also present a security risk. IFALPA therefore believes that a proper risk assessment should be systematically carried out by the Authorities, with the results provided in writing to the operator in sufficient time for the pilot-in-command to be informed. This risk assessment should include all the known facts on these passengers and explain why an escort has been deemed necessary or not. This will help the operator and the pilot-in-command decide whether any extra security measures or safeguards are required. The pilot-in-command should always be satisfied with the proposed security arrangements.

High-risk passengers

IFALPA believes that passengers whose risk assessment includes at least one of the following factors should be classified as **high risk**:

- a. The passenger's escape would be highly dangerous to the public, the law enforcement authorities or the security of the State;
- b. The passenger's record/current behaviour/outside contacts indicate that the standard security procedures will not be adequate;
- c. The passenger is considered dangerous or likely to pose a security threat or control problem;
- d. The passenger is in custody and traveling against their will;

Carriage of high risk passengers should preferably take place on State aircraft. Civil air transport passenger flights should only be used for that purpose in exceptional circumstances, and when there is no alternative. In such cases,

not more than one such person should be allowed on any flight, and then only when escorted by two or more law enforcement officers. The pilot-in-command should also satisfy himself that the following extra measures have been applied prior to the boarding of passengers, to ensure that the safety of the flight will not be endangered:

- a. An extensive screening of the high-risk passenger and his baggage
- b. A thorough search of the aircraft, both inside and outside, with particular emphasis on the toilets and the cabin area in the vicinity of the passenger's allocated seat.
- c. A screening of the passenger list for any accomplices.
- d. Additional checks or screening of:
 - catering, cargo and mail
 - crew baggage
 - duty free purchases
 - and any vehicle used for transporting passengers
- e. No public disclosure of the operation

Conclusion

Acceptance of escorts on board civil aircraft

IFALPA believes that escorts should be law enforcement officers, under the authority of the aircraft commander. If a person other than a law enforcement officer acts as an escort, such escort officer should:

- be supervised by a law enforcement officer;
- have attended and passed an officially recognised and appropriate education programme sponsored by their national Authority;
- be officially recognised as Escort Officers by their national Authority and have proper identification to support this; and
- have physical and mental attributes and legal authority appropriate to the task.

Escorts should have received adequate, practical training for operations in an aircraft environment, including “worst case scenarios” and emergency situations, with regular testing of their competence.

Note: ICAO provisions on passengers who have been subjected to judicial or administrative proceedings can be found in Doc 8973, Chapter 12.2